



# *Milwaukee County*

## Supervisor Eyon Biddle, Sr., 10<sup>th</sup> District

Date: October 12, 2011

To: Representative Joan Ballweg, Chair, Assembly Committee on Labor & Workforce Development  
Members, Assembly Committee on Labor and Workforce Development

Re: Assembly Bill 286 (LRB 1179/2)

From: Milwaukee County Supervisor Eyon Biddle, Sr., 10<sup>th</sup> District

Chair Ballweg, please accept my written testimony in opposition to Assembly Bill 286. Transmitted along with my testimony is Milwaukee County Resolution 11-581, unanimously adopted by the County Board in September. This resolution communicates Milwaukee County's official position against legislation, including LRB 1179/2, which would weaken Wisconsin's Fair Employment Act and make it easier to discriminate against an individual with a felony conviction that is substantially unrelated to the circumstances of a particular job.

Assembly Bill 286 effectively would legalize employment discrimination against individuals convicted of a felony, regardless of whether that job relates in any way to the prior conviction. Under state law, employers already have the statutory authority to deny employment to an individual convicted of a felony, misdemeanor or other offense that substantially relates to the circumstances of a job. The sponsors of this terrible bill should bring forward evidence of the systemic problem they are trying to address with this far-reaching legislation. Employers are not regularly being forced by the courts to offer multi-million dollar settlements to avoid hiring people whose past offenses substantially relate to a particular job. While a couple of sensational cases may be cited, this legislation simply goes too far and is a solution in search of a problem. If enacted, it will do more harm than good.

As the County Supervisor from the 10<sup>th</sup> District, I represent about 50,000 City of Milwaukee residents in my elected role. Officially, unemployment in the City of Milwaukee is close to 12 percent. Some research has even placed the joblessness rate of African-American males in the Milwaukee region at over 50 percent. Recent poverty statistics from the U.S. Census Bureau put Milwaukee's poverty rate at close to 30 percent, with nearly half of the city's children living below the poverty line. These individuals need the Legislature and the Governor to refocus their energies on the economy, create family-sustaining jobs and provide employment tools. Instead, the majority party is pushing this bill to disconnect job-seekers from potential work and exacerbate this combustible situation.

Further, enactment of this bill certainly will have a disproportionate impact on Wisconsin's minority population. According to the Department of Corrections, about 43 percent of the adult inmate population is black. In contrast, only about 6 percent of the state's population is black. A few years ago, the National Council on Crime and Delinquency identified Wisconsin as the state having the highest rate per 100,000 of incarceration of African-American males under the age of eighteen in prisons and jails. Policymakers simply cannot ignore the disparate and deleterious effect passage of this legislation would have on racial minorities.

Lastly, this Committee must exercise due diligence and reflect upon the overall effect this bill would have on the criminal justice system. For example, it is not a stretch of the imagination to expect that Wisconsin will see increased rates of recidivism if employers can legally deny employment to anyone who has completed his or her sentence. People who are routinely denied work, even though they have paid their debt to society, may become desperate and return to crime. Otherwise, they may be forced to turn to public assistance. Either way, the actual costs, in terms of increased incarceration or increased reliance on public benefits, outweigh any possible societal gain.

The Department of Workforce Development recently acknowledged a drop in private-sector jobs during the month of August. Earlier this month, the Federal Reserve Chairman said that the economic recovery “is close to faltering.” People are hurting. Some have had their salaries and benefits reduced; others have been laid-off; some have never found work. People are scrambling to pay their mortgage, to put food on the table, and to send their kids to school. This bill does nothing to create jobs or employment opportunities to benefit the unemployed, the underemployed, or the struggling middle-class. In fact, it does the exact opposite. It puts up an additional hurdle to employment for those searching for work. I thank the Committee for allowing me to share this perspective with you today.